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January 22, 2019

**VIA ECF AND HAND DELIVERY**

**HONORABLE RAYMOND J. DEARIE  
UNITED STATES DISTRICT COURT JUDGE  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 Cadman Plaza East  
Brooklyn, NY 11201**

**Re: Riseboro Community Partnership Inc., against  
SunAmerica Housing Fund No. 682, et al.  
Docket No. 18-cv-07261 (RJD)  
JOINT LETTER TO THE COURT REGARDING A BRIEFING  
SCHEDULE AND ADJOURNMENT OF DEFENDANTS' TIME TO  
RESPOND TO THE COMPLAINT**

Hon. Judge Dearie:

This office represents plaintiff in the above referenced action currently pending before your Honor. I respectfully submit this Joint letter, on behalf of Plaintiff and Defendants SunAmerica Housing Fund 682 ("SunAmerica") and SLP Housing I, LLC's ("SLP") (collectively, "Defendants"), after consultation between the attorneys (myself and Mr. Juan L Garcia, attorney for the Defendants) and Ms. Mulqueen from your Honors Chambers.

On Friday, January 18, 2019, Your Honor issued an order waiving Plaintiff's requirement for a pre-motion conference and directed the parties to agree to a briefing schedule and to jointly contact Ms. Mulqueen for a suitable return date. This letter is a follow up to the Parties conference with Ms. Mulqueen and as directed by her.

Further, this letter also addresses a second issue, raised by Defendants, regarding their time to respond to the Complaint in this Action. The parties have likewise conferred on this issue and have come to an amicable resolution.

With respect to Plaintiff's Motion to Remand, the parties have agreed to the following briefing schedule:

1. Plaintiff's motion will be deemed filed with the Court today, upon the filing of this letter. Plaintiff will email the motion and all supporting papers to Mr. Garcia after filing this letter with the Court



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Hon. Raymond J. Dearie  
Jan. 22, 2019  
Page 2 of 2

2. Defendants' opposition to the motion will be due on March 1, 2019. Defendants will email the opposition and all supporting documents to the undersigned on that date.
3. Plaintiff's Reply will be due on March 22, 2019, which shall be emailed to Mr. Garcia, along with all supporting documents on that date.

Ms. Mulqueen advised that the Court will inform the parties as to the return date of the motion. It was also understood by myself and Mr. Garcia that on March 22, 2018 the parties will collectively upload the motion, opposition and reply to the Court's PACER system.

The second issue raised on our call today with Ms. Mulqueen was Defendants' request, consented to by Plaintiff, that Defendants' time to answer, move against, or otherwise respond to the Complaint be adjourned from January 30 until fifteen (15) days after the Court determines Plaintiff's Motion. The parties agree this is appropriate, in this case, as Plaintiff's Motion concerns this Court's jurisdiction and the Defendants wish to reserve an opportunity to file a motion to dismiss under the applicable rules of civil procedure.

Thank you for your consideration in regards to this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Brian J. Markowitz', written over a horizontal line.

Brian J. Markowitz

**CC:** Nixon Peabody LLP  
Attn: Juan Luis Garcia, Esq.  
Attorneys for Defendants  
SunAmerica Housing Fund 682  
and SLP Housing I, LLC's  
(VIA ECF)